

**U.S. Department of the Interior  
Bureau of Land Management  
White River Field Office  
73544 Hwy 64  
Meeker, CO 81641**

## **DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY**

NUMBER CO-110-2006-156-DNA

CASEFILE/PROJECT NUMBER (optional): TBD

PROJECT NAME: August 2006 Oil and Gas Lease Sale

LEGAL DESCRIPTION: See Attached

APPLICANT: BLM – Colorado State Office

ISSUES AND CONCERNS: State Highway 139 is a part of the Dinosaur Diamond, a National Scenic and Historic Byway designated in October of 1997. This designation is not addressed in the White River RMP. Six of the parcels proposed for leasing in the August oil and gas lease sale are in close proximity to Highway 139.

Two of the parcels proposed for sale in the August oil and gas lease sale include State-owned surface estate within the Piceance Creek State Wildlife Area.

DESCRIPTION OF PROPOSED ACTION: A total of 12 parcels are proposed for leasing in the August 2006, oil and gas lease sale. Four of these parcels are on lands managed by the U.S. Forest Service, and will not be addressed in this review.

Two parcels, comprising a total of 3351.44 acres, are located in and around the Piceance Creek State Wildlife Area (Square S Summer Range).

Six parcels, comprising a total of 7688.68 acres, are located in the vicinity of Douglas Pass. Four of these parcels (3470, 3471, 3473, and 3475) include lands managed by the Grand Junction Field Office; approximately 4040.64 acres are located in White River. The remaining two parcels comprise a total of 2360 acres.

All parcels would be offered at public auction along with several other parcels in other jurisdictions. Following the auction any unsold parcels could be sold non-competitively. Each lease would be issued subject to stipulations identified in the White River ROD/RMP. These

stipulations are specified in the attached parcel listing. Additional site specific analyses would take place upon submission of individual Applications for Permit to Drill.

LAND USE PLAN (LUP) CONFORMANCE REVIEW: The proposed action is subject to the following plan:

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

X The Proposed Action is in conformance with the LUP because it is specifically provided for in the following LUP decision(s):

Decision Language: Make federal oil and gas resources available for leasing and development in a manner that provides reasonable protection for other resource values.

       The Proposed Action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

REVIEW OF EXISTING NEPA DOCUMENTS:

List by name and date all existing NEPA documents that cover the Proposed Action.

Name of Document: White River Resource Area Proposed Resource Management Plan and Final Environmental Impact Statement (PRMP/FEIS).

Date Approved: July 1, 1997

Name of Document:

Date Approved:

List by name and date any other documentation relevant to the Proposed Action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

Name of Document:

Date Approved:

NEPA ADEQUACY CRITERIA:

1. Is the Proposed Action substantially the same action and at the site specifically analyzed in an existing document?

Documentation of answer and explanation:

Yes. Leasing and subsequent development of oil and gas resources are specifically analyzed in the PRMP/FEIS: see pages 3-3, 3-4, and Appendix D. With the exception of certain formally identified Wilderness Study Areas, oil/gas leasing is provided for throughout the resource area, subject to stipulations and conditions of approval identified in Appendix A and Appendix B to the ROD/RMP. All lands considered in this action are open to leasing under the RMP. Stipulations specific to the lands considered for leasing are attached to this DNA

According to the Tenth Circuit Court of Appeals, site- specific NEPA analysis is not possible absent concrete proposals. Filing of an Application for Permit to drill is the first useful point at which a site specific environmental appraisal can be undertaken. (Park County Resource Council, Inc. v. U.S. Department of Agriculture, 10th Cir., April 17, 1987) In addition, the Interior Board of Land Appeals has decided that, “BLM is not required to undertake a site-specific environmental review prior to issuing an oil and gas lease when it previously analyzed the environmental consequences of leasing the land....” (Colorado Environmental Coalition, et. al, IBLA 96-243, decided June 10, 1999)

2. Was a reasonable range of alternatives to the Proposed Action analyzed in the existing NEPA document(s), and does that range and analysis appropriately consider current environmental concerns, interests, and resource values?

Documentation of answer and explanation:

Yes; five alternatives, covering a full range of oil and gas leasing options, were addressed in the PRMP/FEIS (see Table 1-1 of that document). No reason to identify and analyze additional alternatives for the lands involved in this proposal has been presented or raised, and these alternatives are considered to be adequate and valid for the proposed action.

3. Does the information or circumstances upon which the existing NEPA document(s) are based remain valid and germane to the Proposed Action? Is the analysis still valid in light of new studies or resource assessment information?

Documentation of answer and explanation:

For parcels 3507 and 3509 the analysis in the RMP remains valid. Previous analyses were based upon a reasonable foreseeable development scenario that estimated the drilling of approximately 1100 wells, over the twenty year life of the plan (roughly 55 per year). To date, the average number of wells drilled has been very close to that number.

Total disturbance was estimated at 10 acres per well (to include the pad, the road, and the pipeline). To date, the average disturbance per well has been approximately 5 acres. No land status changes have occurred, and no new site specific studies or resource assessment information has been received regarding either of these parcels that would preclude leasing in accordance with the existing planning documents and decisions made therein.

On May 8, 2006, the proposed leasing of parcels within the Piceance Creek Wildlife Area was discussed with Bill de Verge (Area Wildlife Manager) and Mike Swaro (Piceance District Wildlife Manager) of the Colorado Division of Wildlife. While they expressed concern over issuance of leases covering a State wildlife area, they did not feel that circumstances had changed, or that new information existed that would invalidate the analysis in the RMP.

For those lands in parcels 3467, 3469, 3470, 3471, 3473, and 3475 managed by the White River Field Office the Scenic and Historic Byway designation of State Highway 139 represents a change in circumstances from those analyzed in the RMP. Further review to determine whether or not the analysis in the RMP remains valid is warranted.

4. Does the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the Proposed Action?

Documentation of answer and explanation:

Yes. The methodology and analytic approach used in the PRMP/FEIS are appropriate for the current proposed action. No new technologies or methodologies have been proposed or are warranted.

5. Are the direct and indirect impacts of the Proposed Action unchanged from those identified in the existing NEPA document?

Documentation of answer and explanation:

Yes. The anticipated direct and indirect impacts from oil and gas leasing/development are addressed in a resource-specific fashion in the PRMP/FEIS, based on a reasonable foreseeable development scenario that, to date remains accurate. The anticipated direct and indirect impacts of the proposed action are the same as those addressed in the PRMP/FEIS, and they were adequately addressed therein.

6. Are the cumulative impacts that would result from implementation of the Proposed Action unchanged from those analyzed in the existing NEPA document(s)?

Documentation of answer and explanation:

Yes. The cumulative impacts of oil and gas developments, as well as other resource management actions, were addressed in the PRMP/FEIS based on a reasonable foreseeable development scenario, and has, to date, proven accurate. If implemented, the proposed action would not change this analysis, nor would it require new or additional analyses. The anticipated cumulative impacts of the proposed action are within the range of impacts analyzed in the PRMP/FEIS.

7. Is the public involvement and interagency review associated with the existing NEPA document(s) adequate for the Proposed Action?

Documentation of answer and explanation:

The public, interested groups, and other agencies, were fully involved in the development of the PRMP/FEIS.

On May 8, 2006, the proposed leasing of parcels within the Piceance Creek Wildlife Area was discussed with Bill de Verge (Area Wildlife Manager) and Mike Swaro (Piceance District Wildlife Manager) of the Colorado Division of Wildlife. They stated that further involvement at the site specific APD processing stage would be desirable, but that no further involvement would be necessary at the leasing stage.

INTERDISCIPLINARY REVIEW: Identify those team members conducting or participating in the NEPA analysis and preparation of this work sheet (by name and title).

The proposed action was presented to, and reviewed by the White River Field Office interdisciplinary team on April 18, 2006.  
Date

A list of resource specialists who participated in this review is available upon request from the White River Field Office.

REMARKS:

Cultural Resources: limited inventory at current time. Two known homesteads in lease areas.

Native American Religious Concerns: none known.

Threatened and Endangered Species: The Square S and Douglas Pass parcels are in the headwaters of drainages which may support Colorado River cutthroat trout habitat. Lease stipulations designed to protect this habitat, as identified in the RMP, would be incorporated in any leases that may be issued for these parcels.

MITIGATION: See attached.

COMPLIANCE PLAN (optional): None

NAME OF PREPARER: Vern Rhol

NAME OF ENVIRONMENTAL COORDINATOR: Carol Hollowed

DATE: 5/12/06

## CONCLUSION

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Based on the review documented above, I conclude that, for parcels 3507 and 3509 this proposal conforms to the land use plan and that the NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA. Those lands in parcels 3467, 3469, 3470, 3471, 3473, and 3475 managed by the WRFO will be deferred for further review of issues related to the designation of State Highway 139 as a Scenic and Historic Byway.

SIGNATURE OF RESPONSIBLE OFFICIAL:

  
Field Manager

DATE SIGNED: 05/12/06

Note: The signed Conclusion on this worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision.

## Proposed Parcels with Lease Stipulations

### **PARCEL ID: 3507 SERIAL #:**

T. 0040S., R 1000W., 6TH PM

Sec. 22: ALL;  
Sec. 23: ALL;  
Sec. 24: Lot 1-12;  
Sec. 24: W2;

Rio Blanco County

Colorado 1995.480 Acres

All lands are subject to Exhibit CO-34 to alert lessee of potential habitat for a threatened, endangered, candidate, or other special status plant or animal.

All lands are subject to Exhibit CO-39 to protect cultural resources.

The following lands are subject to Exhibit WR-CSU-01 to protect fragile soils:

T. 0040S., R 1000W., 6TH PM

Sec. 22: N2,NWSW,E2SW,W2SE;  
Sec. 23: W2NE,NWNW,SENW,N2SW;  
Sec. 24: N2NW;

The following lands are subject to Exhibit WR-CSU-02 to protect areas of critical environmental concern:

T. 0040S., R 1000W., 6TH PM

Sec. 24: Lot 1-8;  
Sec. 24: SWNW,NWSW;

The following lands are subject to Exhibit WR-CSU-06 to protect Colorado River cutthroat trout habitat:

T. 0040S., R 1000W., 6TH PM

Sec. 22: ALL;  
Sec. 23: ALL;  
Sec. 24: Lot 1-8;  
Sec. 24: NW,N2SW;

The following lands are subject to Exhibit WR-LN-02 to alert lessee of potential requirements to protect paleontological values:

T. 0040S., R 1000W., 6TH PM

Sec. 22: SWNE,E2NE,NW,NESE,W2SE,W2SW;  
Sec. 23: W2NW,SENW,E2SW,E2;  
Sec. 24: NWNW,SESW;

The following lands are subject to Exhibit WR-TL-09 to protect deer and elk summer range:

T. 0040S., R 1000W., 6TH PM

Sec. 22: ALL;  
Sec. 23: ALL;  
Sec. 24: Lot 1-10;  
Sec. 24: W2;



PVT/BLM;BLM; CDO: WRRRA

**PARCEL ID: 3509 SERIAL #:**

T. 0040S., R 1000W., 6TH PM  
Sec. 25: Lot 1-12;  
Sec. 25: W2;  
Sec. 26: ALL;

Rio Blanco County  
Colorado 1355.960 Acres

All lands are subject to Exhibit CO-34 to alert lessee of potential habitat for a threatened, endangered, candidate, or other special status plant or animal.

All lands are subject to Exhibit CO-39 to protect cultural resources.

The following lands are subject to Exhibit WR-CSU-01 to protect fragile soils:

T. 0040S., R 1000W., 6TH PM  
Sec. 25: Lot 1,3-5,8-10;  
Sec. 25: SWNW,E2NW;  
Sec. 25: SW;  
Sec. 26: S2NE,E2SE;  
Sec. 26: SWSW;

The following lands are subject to Exhibit WR-CSU-06 to protect Colorado River cutthroat trout habitat:

T. 0040S., R 1000W., 6TH PM  
Sec. 26: NW,NWSW;

The following lands are subject to Exhibit WR-LN-02 to alert lessee of potential requirements to protect paleontological values:

T. 0040S., R 1000W., 6TH PM  
Sec. 25: Lot 2-12;  
Sec. 25: SW;  
Sec. 25: NW;  
Sec. 26: NENW,NWSE,SW;  
Sec. 26: NE,SWSE,E2SE;

The following lands are subject to Exhibit WR-TL-09 to protect deer and elk summer range:

T. 0040S., R 1000W., 6TH PM  
Sec. 25: Lot 1-12;  
Sec. 25: SW;  
Sec. 25: NW;  
Sec. 26: NWSE,W2;  
Sec. 26: NE,SWSE,E2SE;

PVT/BLM; CDO: WRRRA

**PARCEL ID: 3467 SERIAL #:**

T. 0050S., R 1010W., 6TH PM  
Sec. 7: E2SE;  
Sec. 17: ALL;  
Sec. 18: Lot 5,8,9,12;  
Sec. 18: E2,SENE,E2SW;

Garfield County  
Colorado 1320.000 Acres

**DEFERRED**

**PARCEL ID: 3469 SERIAL #:**

T. 0050S., R 1010W., 6TH PM  
Sec. 10: SW;  
Sec. 15: NENE,W2W2,SENE;  
Sec. 16: ALL;

Garfield County  
Colorado 1040.000 Acres

**DEFERRED**

**PARCEL ID: 3470 SERIAL #:**

T. 0050S., R 1010W., 6TH PM  
Sec. 19: Lot 9-12;  
Sec. 19: E2,E2W2;  
Sec. 20: ALL;  
Sec. 21: ALL;

Garfield County  
Colorado 1920.640 Acres

**DEFERRED**

**PARCEL ID: 3471 SERIAL #:**

T. 0050S., R 1010W., 6TH PM  
Sec. 22: ALL;  
Sec. 23: ALL;  
Sec. 24: W2E2,W2;

Garfield County  
Colorado 1760.000 Acres

**DEFERRED**

**PARCEL ID: 3473 SERIAL #:**

T. 0050S., R 1010W., 6TH PM

Sec. 28: ALL;  
Sec. 29: Lot 1;  
Sec. 29: TR 37;  
Sec. 29: E2,E2W2,W2NW,NWSW;

Garfield County  
Colorado            1280.000 Acres

**DEFERRED**

**PARCEL ID: 3475 SERIAL #:**

T. 0050S., R 1020W., 6TH PM  
Sec. 13: W2;  
Sec. 29: Lot 6;  
Sec. 31: Lot 10,13,15;  
Sec. 31: SENW;

Garfield County  
Colorado            368.040 Acres

**DEFERRED**